

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-13862 - APPLICANT: MALCO ENTERPRISES -
OWNER: HELMUT JACOBITZ**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Automobile Rental use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
5. No more than five cars may be rented on-site. No trucks may be rented.
6. The item shall be reviewed in a public hearing before the Planning Commission within one year of issuance of business license.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for automobile rental and a waiver of the minimum lot site area requirement in conjunction with an existing auto repair (minor) facility at 6700 West Sahara Boulevard.

EXECUTIVE SUMMARY

The applicant is proposing to use a small portion of an existing auto lube for an automobile rental facility. The site does not have adequate parking for clientele or sufficient space for parking of rental cars, and therefore is not physically suitable for the land use proposed.

BACKGROUND INFORMATION

A) Related Actions

- 07/06/88 The City Council approved C-1 (Limited Commercial) zoning for the property as part of a larger request (Z-45-88)
- 09/19/87 The City Council approved a Variance (V-0097-91) to allow a 100 square foot off-premise sign and to allow the sign to a height of 50 feet where 40 feet is the maximum height permitted. The Board of Zoning Adjustment and staff recommended approval.
- 07/13/06 The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #66/jm).

B) Pre-Application Meeting

A pre-application meeting was held on May 17, 2006.

C) Neighborhood Meetings

A neighborhood meeting was not required.

D) Code Enforcement

A violation of Title 19.04 for an illegal Auto Dealer Inventory Storage site exists at 6600 West Sahara Avenue, which is the Lexus Automobile dealership. Code Enforcement is taking action on the violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.61 acres

Net Acres: 0.31 acres

B) *Existing Land Use*

Subject Property: Auto Lube

North: Church

South: Clark County

East: Car Dealership

West: General Retail

C) *Planned Land Use*

Subject Property: SC (Service Commercial)

North: SC (Service Commercial)

South: R.O.W (Right of Way)

East: GC (General Commercial)

West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)

North: C-1 (Limited Commercial)

South: R.O.W (Right of Way)

East: C-2 (General Commercial)

West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the Master Plan. This land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the Master Plan, and the proposed automobile rental is a permitted use with the approval of a Special Use Permit.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance” for the following reasons:

1) Any Special Use Permit within 500’

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments were received regarding this project. The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Auto Lube	2,750	1 space: employee	5			
		1 space: bay	4			
Automobile Rental	200	1 space: 200	1			
TOTAL			10	1	6	0
Surrounding Commercial Center						
Church/House of Worship	10,000	1 space: 100 gfa of gathering	100			
Financial Institution	6,200	1 space: 200 gfa	31			
Restaurant	12,950	1 space: 50 sq. ft. of seating	253			
	8,050	1 space: 200 gfa. of remainder	45			
Restaurant with Drive-thru	8650	1 space: 100 gfa	87			
General Retail	170,475	1: 250 gfa	682			
TOTAL			1209	Not provided	1240	Not Provided

The proposed automobile rental facility does not comply with the required parking standards. Although the applicant provided shared parking agreement and a parking study that shows an excess of parking for the Shopping Plaza, therefore the lot does not provide enough parking for the establishment.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed automobile rental use; however, there are no similar approved uses within the 1000' notification distance.

B) General Analysis and Discussion

- Zoning

Development in the C-1 (Limited Commercial) zone may consist of any use or combination of uses that are specifically approved for the property in the Limited Commercial or are approved by means of a Special Use Permit.

- Use

The applicant is proposing to use a small portion of an existing auto lube for an automobile rental facility. Per Title 19.04.050 the minimum site area shall be twenty five thousand square feet. The site does not have adequate parking for clientele or sufficient space for parking of rental cars.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed land use is similar in use to the existing surrounding land uses, and therefore is compatible with the General Plan.

2. “The subject site is physically suitable for the type and intensity of land use proposed.”

The applicant is proposing to use a small portion of an existing auto lube for an automobile rental facility. The applicant is also requesting a waiver of the minimum lot size requirement of 25,000 square feet for an automobile rental use. The proposed automobile rental use will be located on an existing commercially developed parcel with inadequate parking and 13,506 sq. ft. lot size , and is therefore not physically suitable for the land use proposed.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

The automobile rental facility is located at the intersection of Sahara Avenue and Redwood. Sahara Avenue is a 150-foot Primary Arterial and is capable of handling the traffic that the automobile rental facility will generate.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

The automobile rental facility will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

There were two speakers opposed to this application at the PC hearing. Additional conditions were added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 5

SENATE DISTRICT 8

NOTICES MAILED 78 by City Clerk

APPROVALS 0

PROTESTS 1